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Attorneys for Defendant United States

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

Joseph O'Shaughnessy, *et al.*,
Plaintiffs,

v.

United States of America, *et al.*,

Defendants.

No. 2:22-cv-01039-APG-DJA

**UNOPPOSED MOTION TO EXTEND
TIME TO FILE RESPONSIVE
PLEADING

(SECOND REQUESTED
EXTENSION)**

Defendant United States of America hereby moves pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule LR IA 6-1, for a 17-day extension of time to November 21, 2022, to file a responsive pleading to Plaintiff's Complaint (Doc. 1). Plaintiffs do not oppose this motion. This is Defendant's second requested extension of time in this matter. Defendant previously moved unopposed for an extension to November 4, 2022 due to counsel's heavy schedule, trial, and vacation. (Doc. 19.) That motion was granted by Court order. (Doc. 21.)

The reason for this second requested extension is that counsel Heathcotte for the

1 United States was ordered by the court in another matter to produce supplemental briefing
2 due November 8, 2022, and co-counsel Singh has unexpectedly been assigned to handle a
3 trial in another matter he has never worked on beginning Monday November 7, 2022, due
4 to another AUSAs sudden leave for a death in the family. For these reasons, counsel seek
5 additional time to complete Defendant's responsive pleading. The case styled *Todd C.*
6 *Engel v. United States of America*, 2:22-cv-01040-JCM-NJK concerns many of the same
7 events and the same attorneys as the above captioned case and was filed the same day. An
8 identical unopposed motion to extend has been filed in the *Engel* case.

9 Undersigned counsel Heathcotte affirms that Plaintiff's counsel Marquiz consents
10 to the granting of this motion.

11 For the foregoing reasons, Defendant respectfully requests that the deadline to file
12 a responsive pleading to the Complaint be extended to November 21, 2022.

13 RESPECTFULLY SUBMITTED this November 2, 2022.

14
15 MERRICK GARLAND
United States Attorney General

16
17 s/ Brock Heathcotte
BROCK HEATHCOTTE
18 Special Assistant United States Attorney, Acting
Under Authority Conferred by 28 U.S.C. § 515
19 Attorneys for Defendant United States

20
21 IT IS SO ORDERED:

22
23 
24 UNITED STATES MAGISTRATE JUDGE

25 DATED: November 2, 2022